

From: marilyn@wt6.usdoj.gov@inetgw
To: Microsoft ATR
Date: 1/23/02 2:25pm
Subject: Microsoft Settlement

This is a Tunney Act response to the proposed Microsoft settlement:

The proposed settlement apparently will extend Microsoft's monopoly since as part of the settlement they will have the opportunity to place their products in schools. If fountain pen dealers had a lawful opportunity to place their products in schools for the use of students and no other commercial entity had a similar opportunity, we would find that nearly all school children would continue to use fountain pens in adulthood, and pencil and ball-point pen manufacturers and sellers would suffer. It will be nearly impossible under this settlement for students to gain knowledge of operating systems and software other than that produced by Microsoft. Few students will bring their computers running other systems into class.

Microsoft has been judged to be a monopoly but the proposed settlement only aggravates and extends their monopoly position. A much better settlement will require that Microsoft give cash payments, not products, to schools so that each school can purchase a variety of hardware and software. This way the students will be exposed to other operating systems such as UNIX, Linux, MacOS, and the applications that run on those systems. In addition this more open settlement will allow schools the freedom to use settlement funds to try other systems which may come along in the next few years.

I will be happy to answer any questions about this response. Please contact me by email.

Very truly yours,

Marilyn W. Sweet
6540 Bradley Boulevard
Bethesda MD 20817

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